

ALVERSON TAYLOR & SANDERS  
LAWYERS  
6605 GRAND MONTECITO PARKWAY  
SUITE 200  
LAS VEGAS, NEVADA 89149  
(702) 384-7000

1 **ALVERSON TAYLOR & SANDERS**  
2 KURT R. BONDS, ESQ.  
3 Nevada Bar No. 6228  
4 DAVID M. SEXTON, ESQ.  
5 Nevada Bar No. 14951  
6 6605 Grand Montecito Parkway, Suite 200  
7 Las Vegas, Nevada 89149  
8 (702) 384-7000  
9 [efile@alversontaylor.com](mailto:efile@alversontaylor.com)  
10 *Attorneys for Plaintiffs*

11 **UNITED STATES DISTRICT COURT**  
12 **FOR THE DISTRICT OF NEVADA**

13 EMILY SEARS, NAJOME COLON a/k/a GIA  
14 MACOOL, RACHEL BERNSTEIN a/k/a  
15 RACHEL KOREN, LUCY PINDER, and  
16 MARIANA DAVALOS

17 Plaintiffs,

18 vs.

19 RUSSELL ROAD FOOD AND BEVERAGE,  
20 LLC d/b/a CRAZY HORSE III  
21 GENTLEMEN'S CLUB; and SN  
22 INVESTMENT PROPERTIES, LLC d/b/a  
23 CRAZY HORSE III GENTLEMEN'S CLUB

24 Defendants.

Case No. 2:19-cv-01091-APG-NJK

25 **STIPULATION AND ORDER FOR**  
26 **EXTENSION STAY**

27 **(SECOND REQUEST TO EXTEND**  
28 **STAY)**

21 COMES NOW Plaintiffs, EMILY SEARS, NAJOME COLON aka GIA MACOOL,  
22 RACHEL BERNSTEIN a/k/a RACHEL KOREN, LUCY PINDER<sup>1</sup> and MARIANA  
23 DAVALOS, ("Plaintiffs") by and through their counsel of record, KURT R. BONDS, ESQ. and  
24 DAVID M. SEXTON, ESQ. of ALVERSON TAYLOR & SANDERS and Defendants,  
25 RUSSELL ROAD FOOD AND BEVERAGE, LLC d/b/a CRAZY HORSE III GENTLEMEN'S  
26 CLUB ("Russell Road") and SN INVESTMENT PROPERTIES LLC ("SN Investment")

27 <sup>1</sup> Lucy Pinder was previously dismissed from this matter. [Dkt. 46].

ALVERSON TAYLOR & SANDERS  
LAWYERS  
6605 GRAND MONTECITO PARKWAY  
SUITE 200  
LAS VEGAS, NEVADA 89149  
(702) 384-7000

1 (collectively with Russell Road, “Defendants”) by and through its counsel of record, JEFFERY  
2 A. BENDAVID, ESQ. and STEPHANIE J. SMITH, ESQ. of BENDAVID LAW, and hereby  
3 submit this request for an additional extension of the stay previously ordered and extended by  
4 this Court due to the ongoing concerns and restrictions, and now reversals to some phases of  
5 reopening from the COVID-19 pandemic, particularly in light of the extremely high virus  
6 transmission rate presently occurring in Nevada, California, and Arizona.<sup>2</sup> Additionally,  
7 Governor Sisolak has halted further reopening of Nevada and tightened certain restrictions.  
8

9 The Parties originally submitted a joint motion for stay due to the developing crisis  
10 surrounding the pandemic from COVID-19, and then a subsequent stipulation to extend the stay  
11 for 30 days to determine what new developments may occur in response to the ongoing  
12 pandemic. [Dkts. 41, 44, 48]. Based on the good cause presented in the previous motion,  
13 stipulations, and the stay, including but not limited to the Parties’ mutual inability to  
14 meaningfully participate in the discovery process due to the multiple restrictions, closures, and  
15 various other directives by the Governor of Nevada, the Center for Disease Control, and the  
16 Federal Government, this Court granted the Parties’ request for a stay. [Dkt. 42, 44, 48]. That  
17 stay was then extended for an additional 30 days at the joint request of the Parties due to the fact  
18 that the reopening of Nevada and loosening of restrictions was not progressing as quickly as the  
19 Parties had hoped. [Dkt. 49, 50].  
20  
21

22 The Parties are now seeking to extend the stay for an additional 45 days. Although  
23 Nevada previously commenced some phased processes to return to conducting normal business,  
24 this reopening has halted and there are still numerous restrictions in place, including additional  
25 restrictions being imposed, in particular ones that impact the Defendant in this matter.  
26 Additionally, neighboring jurisdictions have also halted or reversed some of their re-openings,  
27

28 <sup>2</sup> <https://news3lv.com/news/local/nevada-has-highest-transmission-rate-for-coronavirus-in-the-nation-data-shows>;  
<https://www.reviewjournal.com/videos/coronavirus-transmission-rate-in-nevada-is-the-highest-in-the-us/>

ALVERSON TAYLOR & SANDERS  
LAWYERS  
6605 GRAND MONTECITO PARKWAY  
SUITE 200  
LAS VEGAS, NEVADA 89149  
(702) 384-7000

1 and the Parties anticipate that there may be additional restrictions to follow in Nevada. Plaintiffs  
2 still reside in other jurisdictions (including international) and there are still varying levels of  
3 restrictions, stay-at-home orders, and other directives advising against any non-essential travel  
4 for the Plaintiffs and other anticipated key witnesses. Also, even though discovery has been  
5 stayed, the Parties are still discussing the possibility of the resolution of this matter; however,  
6 based on the current restrictions, communications have continued to be delayed. Additionally,  
7 the fact that gentlemen's clubs are still shuttered at the governor's order in Nevada, and have  
8 been for over four months, has presented Defendant with financial difficulties that will have a  
9 significant impact on their ability to engage in needed discovery and meaningful settlement talks  
10 if the stay in this matter is not extended. These extraordinary circumstances warrant good cause  
11 to extend the present stay.  
12

13 The present stay is set to expire on August 3, 2020, as such the Parties request an  
14 additional 45 days, until September 17, 2020, in order to continue to accommodate the  
15 unprecedented events occurring globally, evaluate the status of reopening, and determine the best  
16 course of action, while also continuing to discuss the possibility of other resolution of the matter.  
17 As such, good cause exists for the requested extension of stay.  
18

19 **1. Discovery That Has Been Completed**

20 The parties have completed the following discovery:

- 21 • Plaintiffs served their first set of written discovery on October 29, 2019.
- 22 • Defendants served responses on December 20, 2019.
- 23 • Plaintiffs served their second set of written discovery on November 19, 2019.
- 24 • Defendants responded on January 6, 2020.
- 25 • Defendants served their first set of written discovery on January 10, 2020.
- 26 • Plaintiffs responded on February 18, 2020.
- 27
- 28

- Defendants served their second set of requests for production on February 26, 2020.
- Defendants noticed the depositions of Plaintiffs on February 6, 2020, and amended notices of deposition on February 25, 2020, based on a meet and confer of the Parties.
- Both Plaintiffs and Defendants provided their initial expert disclosures on March 2, 2020.

**2. Discovery That Remains to Be Completed**

The following discovery by the parties remains to be completed:

- The Parties will conduct depositions of necessary parties, including the Plaintiffs, Defendants' corporate representatives, and experts.
- The Parties will serve expert rebuttal reports, if any are determined to be necessary.
- The Parties anticipate additional written discovery and/or depositions to be conducted based on additional information that the Parties are discovering.

**3. Reasons Why Remaining Discovery Was Not Completed**

The discovery that remains to be complete has not been and cannot be completed within the time limits set by the current discovery plan. There may be additional disputes, and/or disputes to resolved regarding written discovery, deposition scheduling, travel, social distancing requirements, and additional health concerns.

Prior to the stay entered by this Court, Parties were trying to coordinate depositions, which was practically impossible as none of the Plaintiffs live in Las Vegas, Nevada, and some live outside of the country, and there were, and continue to be, significant travel restrictions in place. Obviously, the Parties have not conducted any additional discovery since the Joint Motion for a Stay of Discovery due to the fact that said Motion was granted and discovery has been stayed in this case since that time. The Parties were hopeful at that time that the concerns and

1 restrictions brought on by the COVID-19 pandemic would be resolved by now, or at least that  
 2 the Parties would have a better idea of when the restrictions and regulations would be lifted.  
 3 However, it is still unclear when the restrictions that have been put in place will be resolved and,  
 4 if anything, the concerns and restrictions caused by the COVID-19 pandemic have only just  
 5 begun to be lifted; however such restrictions are still significantly impacting Defendants.

6  
 7 The Parties agree that an extension of the present stay is needed for the reasons discussed  
 8 above and the Parties affirm that this extension is sought in good faith, and not for reasons of  
 9 undue delay.

10 **IT IS SO STIPULATED.**

11  
 12 Dated: July 29, 2020

13 **ALVERSON TAYLOR & SANDERS**

14 By: /s/ David M. Sexton, Esq.

15 **DAVID M. SEXTON, ESQ.**

16 Nevada Bar No. 14951

17 6605 Grand Montecito Parkway, Suite 200

18 Las Vegas, Nevada 89149

19 *Attorneys for Plaintiffs*

20 Dated: July 29, 2020

21 **BENDAVID LAW**

22 By: /s/ Stephanie J. Smith, Esq.

23 **STEPHANIE J. SMITH, ESQ.**

24 Nevada Bar No. 11280

25 7301 Peak Dr., Suite 150

26 Las Vegas, Nevada 89128

27 *Attorneys for Defendants*

28 **SCHEDULING ORDER**

Based upon a showing of good cause, the Parties' request to extend the present stay from  
 August 3, 2020 to September 17, 2020 is granted with the Parties to submit a proposed revised  
 discovery schedule by the 14th day of September, 2020.

**IT IS SO ORDERED.**

DATED this 30th day of July, 2020.

  
 UNITED STATES MAGISTRATE JUDGE